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9 **UNITED STATES DISTRICT COURT**
10 **NORTHERN DISTRICT OF CALIFORNIA**

11 MELISSA CONKLIN,

12 Plaintiff,

13 vs.

14 EXPERIAN INFORMATION
15 SOLUTIONS, INC., EQUIFAX, INC.;
16 AMERICAN EXPRESS COMPANY;
17 WELLS FARGO, NATIONAL
18 ASSOCIATION and DOES 1 through
19 100 inclusive,

20 Defendants.

Case No.:

**EQUIFAX INC.'S NOTICE OF
REMOVAL**

21
22 Defendant, Equifax Inc., by Counsel, hereby files this Notice of Removal of
23 this action from the Santa Clara County Superior Court, California wherein it is
24 now pending as Case No. 1:15-cv-281869, to the United States District Court for
25 the Northern District of California. This Notice of Removal is filed pursuant to 28
26 U.S.C. §§ 1441 and 1446. In support hereof, Defendants show this Court as
27 follows:
28

1 1. An action was filed on June 16, 2015 in the Santa Clara County
2 Superior Court, California, entitled *Conklin v. Experian Information Solutions, Inc.,*
3 *et al.* Case No. 1:15-cv-281869 (the “State Court Action”).

4 2. Equifax Inc. was served with the Complaint on August 20, 2015.

5 3. This Notice is being filed with this Court within thirty (30) days after
6 Equifax Inc. was served with a copy of Plaintiff’s initial pleading setting forth the
7 grounds for his action and his claims for relief.

8 4. This Court has original jurisdiction over this case pursuant to 28
9 U.S.C. § 1331, in that this is a civil action arising under the Constitution, laws or
10 treaties of the United States; specifically 15 U.S.C. § 1681 *et seq.*, otherwise known
11 as the Fair Credit Reporting Act (“FCRA”), as follows:

12 (a) Plaintiff’s Complaint, on its face, alleges a violation of the
13 FCRA. (See Plaintiff’s Complaint, ¶¶ 4.1 – 4.3).

14 (b) The FCRA, pursuant to 15 U.S.C. § 1681(p), provides that any
15 action alleging a violation of its provisions “may be brought in any appropriate
16 United States district court without regard to the amount in controversy . . .”

17 5. Promptly after the filing of this Notice of Removal, Equifax Inc. shall
18 give written notice of the removal to Plaintiff and to the Clerk of the Santa Clara
19 County Superior Court, as required by 28 U.S.C. § 1446(d).

20 6. Attached hereto, as Exhibit A, are copies of the Summons and
21 Complaint served upon Equifax Inc. in the State Court Action.

22 7. Attached hereto, as Exhibit B, are copies of the Answer in state court
23 and the Consent of codefendant Experian Information Solutions, Inc., and the
24 Consent of codefendant Wells Fargo, N.A.

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27 ///

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CERTIFICATE OF SERVICE

Conklin v. Experian Information Solutions, Inc, et al.

Case No.:

I, the undersigned, certify and declare that I am over the age of 18 years, employed in the County of Orange, State of California, and not a party to the above-entitled cause.

On **September 21, 2015**, I served a true copy of:

EQUIFAX INC.'S NOTICE OF REMOVAL

☐ By personally delivering it to the persons(s) indicated below in the manner as provided in FRCivP5(B);

☒ By depositing it in the United States Mail in a sealed envelope with the postage thereon fully prepaid to the following;

☒ By ECF: On this date, I electronically filed the following document(s) with the Clerk of the Court using the CM/ECF system, which sent electronic notification of such filing to all other parties appearing on the docket sheet;

I hereby certify that I am employed in the office of a member of the Bar of this Court at whose direction the service was made.

I hereby certify under the penalty of perjury under the laws of the State of California that the foregoing is true and correct.

/s/ Jennifer J. Maston
JENNIFER J. MASTON

Place of Mailing: Laguna Beach, California.

Executed on **September 21, 2015**, at Laguna Beach, California.

SERVICE LIST

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